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Attorney for Defendants

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AYAL ROSENTHAL,

Plaintiff

v.

08 CV 5338 (LAK)

NEW YORK UNIVERSITY, NEW YORK  
UNIVERSITY LEONARD N. STERN SCHOOL  
OF BUSINESS, THOMAS F. COOLEY, Richard R.  
West Dean of the Leonard N. Stern School of  
Business, MELCHIOR OCHOA, Chairman of the  
Stern School of Business Judiciary Committee, and  
JOHN DOES 1-10,

Defendants.

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**NOTICE OF  
MOTION**

PLEASE TAKE NOTICE that, on the accompanying Memorandum of Law,  
Statement pursuant to Rule 56.1 and the accompanying Declarations of Thomas F.  
Cooley, Gary Fraser, Melchior Ochoa, Richard J. DeMarco and Nancy Kilson, and their  
respective exhibits, Defendants New York University, the New York University Leonard  
N. Stern School of Business, and Thomas F. Cooley, will move before the Honorable  
Lewis A. Kaplan, United States District Judge, at the Courthouse, 500 Pearl Street, New

York, New York, Courtroom 12D, on an argument date to be set by the Court, for an order granting summary judgment and dismissing the complaint in this action, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for failure to state a claim on which relief can be granted.

PLEASE TAKE FURTHER NOTICE that answering papers (if any) are due in accordance with the stipulation of the parties on February 24, 2010.

Dated: New York, New York  
February 1, 2010

Respectfully submitted,

New York University  
Office of General Counsel

By: s/\_\_\_\_\_  
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